WATER METERS OUSTED

COURT HITS THEM BLOW.

Decision May Force Their Removal from All Business Places.

Justice Thomas, sitting in the Supreme Court, Brooklyn, has handed down a decision that, if sustained, will compel the Department of Water Supply, Gas and Electricity to remove all the water meters which it has installed in business places in the city.

In the test case brought by August Swanberg, a saloonkeeper, of No. 4123 Third avenue, Brooklyn, an injunction was granted which restrains the city from putting a meter in his place. The injunction will stop the installation of water meters until the pending suit is settled, but will not prevent the authorities from adopting some other way of measuring the water, if one can be found which will not interfere with property rights.

The suit against the city was started a year ago at the instigation of the Liquor Dealers' Association, its attorney, E. B. Barnum, acting as Swanberg's attorney. Swanberg had been notified to put a meter in his place after he had paid his regular water taxes. He was told that if he did not comply the city would put in a meter for him at his expense and that the cost would become a lien on his property. The injunction restrains the city from forcing a meter upon him.

Justice Thomas overruled the city's demurrer and gave it twenty days to file its answer to the complaint. The city will permit the case to go by default, and when the injunction is made permanent an appeal will immediately be taken to the Appellate Division of the Supreme Court.

It has been the custom of the Water Department for the last thirty years to force meters upon persons likely to use an extra amount of water. The charter gives the commissioner discretionary power to force in meters and to make the property owners pay the expenses. Section 651 of the Penal Code puts a penalty upon interference with the meters. The price for the water which passes through the meter has been set at 10 cents for each 100 cubic feet, or about 1,000 gallons, by the Board of Aldermen. This is said to be exorbitant.

The argument before Justice Thomas was based upon the constitutionality of Section 475 of the charter, which Barnum contended violated Section 6 of the constitution, which provides that "no person shall be deprived of property without due process of law" nor shall it be "taken for public uses without just compensation." Barnum argued that forcing in meters was in effect the forcible seizure of easements preventing the property owners from enjoying the exclusive right to their possessions.

NEWARK EDUCATION BOARD HARD HIT

Essex County Grand Jury Suggests Investigation by Citizens' Commission.

The conduct of the members of the Common Council and of the Board of Education of Newark was the subject of a presentment by the Essex County Grand Jury to Chief Justice Gummere, in Newark, yesterday. Referring to the Board of Education, the jurors say enough transactions of a doubtful nature were disclosed to warrant a probing of school affairs by a citizens' commission.

The presentment says: "We find that members of the Board of Education are not fitted for their office, possessing little knowledge of educational work, inexperienced in large affairs and unable to add dignity or efficiency to our schools. The quarrels which take place in public over teachers, principals, real estate, salaries, plumbing, pianos, buildings and other things are a disgrace to our city. There are some worthy men in the board. The worst feature of the present situation is not the loss of the taxpayers' money so much as the demoralization of the schools. The public schools of Newark are tainted by the atmosphere which emanates from our Board of Education."

The committee on poor and alms of the Common Council is criticised for giving a dinner at the Almshouse which was paid for out of the funds appropriated for the support of paupers. "These things have been going on for years," declares the presentment, "and are an abuse of official position, a misuse of funds and a public scandal. We condemn them without reservation."

Regarding the assertions of faulty construction at the new Overbrook Insane Asylum, the jury declares that the contractors have evaded the specifications, and the architects, Hurd & Sutton, were rapped for allowing such a condition to exist. When Justice Gummere heard this part of the presentment he directed County Counsel Crane to find out if the county would not be justified in withholding part of the contract price.

FIRE DAMAGED MONTEREY AFLOAT.

Steamer, Only Slightly Burned, Makes Pier Under Her Own Power.

The Ward Line steamer Monterey, which was beached off Clifton, Staten Island, on Friday night after a fire had broken out forward, was released from the mud yesterday and under her own power went up to her pier.

The officials of the Ward Line were unable to give any accurate idea of the damage to ship and cargo. Alfred G. Smith, general manager of the line, said the steamer was only slightly damaged, the fire having burned only one partition and scorched other parts. The Monterey had a large cargo of hemp, sugar, copper and general merchandise from Cuba and Mexico. It is said that much of the hemp and sugar stored aboard is badly damaged.

JAMAICA CHASING FAKE FIRES.

False Alarms Continue Despite New Locks and Guard at Each Box.

When the volunteer firemen of Jamaica, Queens Borough, were superseded on Friday by the paid department the men of the latter department said they would clear up in one night the mystery of the false alarms that has been the bane of the past two volunteer fire chiefs. All the locks upon fire alarm boxes were changed and a man was stationed at every box in the district, and then—the false alarms sounded just the same. All day yesterday the old volunteers were twitting the new paid men. Former Chiefs Bangert and Kaiser were driven nearly frantic by the nightly false alarms. Some nights there were as many as five alarms that proved to be false.

The boxes are to be watched nightly until somebody is landed in jail. If changing the locks and watching the boxes do not have the desired effect, some other means will be taken. There is a suspicion that some of the alarms may not be sent in through the boxes at all, but that some one may have invented a method of tapping the alarm wires and sending in false alarms at his own pleasure.

EMMET DALTON PAROLED.

Leavenworth, Kan., July 6.—Emmet Dalton, serving a life sentence in the penitentiary here for his participation in the Coffeyville raid of the Dalton gang, was released by Governor Hoch to-day on a temporary parole, that he might undergo an operation on his arm, shot in the raid. Dalton will enter a hospital at Kansas City.

TO EXAMINE MRS. EDDY.

Two Co-Masters Appointed to Assist Judge Aldrich.

Concord, N. H., July 6.—Dr. George F. Jelly, of Boston, the well known specialist in mental diseases, and Dr. G. A. Blumer, of Providence, were appointed to-day co-masters with Judge Edgar Aldrich, of Littleton, N. H., to determine the competency of Mrs. Mary Baker G. Eddy, the founder and head of the Christian Science faith, to transact business and care for her own interests.

The appointment of the two co-masters was made at the request of Judge Aldrich by Judge Robert N. Chamberlin, of the Merrimack County Superior Court, the justice who has presided over the entire litigation. Judge Aldrich wrote to Judge Chamberlin that he hesitated about accepting the sole responsibility on account of "the delicacy and sensitiveness of the situation, and in view of the general public interest in the question." Judge Aldrich said that he could not serve as master unless a co-master, or, as he preferred, two co-masters "of high standing in respect to mental conditions," should be appointed. Judge Chamberlin accordingly appointed Dr. Jelly and Dr. Blumer as co-masters.

Following a conference between counsel for both sides in the suit brought by the "next friends" for an accounting of Mrs. Eddy's property, the announcement was made to-day that the taking of depositions had been postponed until July 17.

RECORD MOUNTS HIGHER.

Total Dead from Fourth of July Accidents Now Fifty-nine.

Chicago, July 6.—With the returns still coming in, the number of Fourth of July casualties for 1907 at 3 o'clock this morning had equalled the heaviest records made by "The Tribune" in the last nine years. The total number of dead at that hour—fifty-nine—was eight more than a year ago at the same hour, and was equalled only twice before in the nine years—in 1900 and 1903.

The total number of injured at midnight stood at 3,867. This eclipses all records in the nine years, the highest number heretofore reported at 3 a. m. of July 6 being 3,683 in 1903.

As usual, fireworks claimed the largest number of victims—1,724. The victims of cannons, gunpowder, firearms and toy pistols are in relative proportion.

The death roll promises to mount higher as the days go by. Already tetanus is beginning its work, the death of one victim being reported.

RELICS OF FOURTH LEFT IN CARS.

Motley Collection of Articles Belonging to Absentminded Celebrants Found.

The maimed and wounded do not represent the entire losses sustained by the citizens of New York in the patriotic celebration of Independence Day, as may be discovered by a visit to the claim rooms of the Interborough Rapid Transit Company's lines at No. 29 Greenwich street. Gloves, umbrellas and parasols are deposited there daily by conductors on the surface cars and elevated and subway trains. But demijohns, lunch boxes, wigs, satchels and hats are lost only on the "glorious Fourth."

A pump, a saw and package of iron hooks and screws bear witness to the fact that some true American waited not to get back to his shop before beginning to manifest his deep interest in the historic significance of the occasion. Another enthusiastic person was in such a jolly frame of mind that he had no qualms of conscience in leaving his newly bought steamship ticket on the elevated line. The passenger sitting next to him picked it up after he left the train, no doubt, and handed it to the guard, regretting that his business engagements on the Bowery would not possibly allow him time to take a hurried pleasure trip to "the ol' country."

One young swain, lost in unpleasant meditation as he returned home after an unsuccessful attempt to convince his fair Amaryllis of the comfort and luxury of a Harlem flat, walked out of the subway bareheaded and gloveless and minus the little book of verse upon the charms of which his beloved had discoursed. Rosy cheeked Flora, too, crowned with a wreath of daisies, forgot to take up her single summer hat when she wearily left the elevated train after an afternoon in The Bronx.

Many another thing tells its own tale. A lunch box, music roll, belt, photograph, jacket, keys, spectacles, hairbrush, rifle, a woman's "rat," bottle of whiskey, two cannons, snuffbox, letter of recommendation, picture frame, were all left on the cars.

CELEBRATED FOURTH AT SEA.

Games, Dinners and Songs on Board the Kaiserin Auguste Victoria.

The Fourth of July was observed on board the Hamburg-American liner Kaiserin Auguste Victoria, which arrived yesterday from Hamburg. Soon after breakfast a series of athletic games was started, and throughout the day all the passengers, from the steerage to the first cabin, made merry. There were many private dinners given by wealthy persons in the Ritz-Carlton restaurant, and at night a big dinner was served for all the classes, and each nationality, getting together, celebrated the day in its own peculiar fashion. "The Star Spangled Banner" and many other patriotic American songs were sung.

Senator Nelson W. Aldrich, of Rhode Island, who was a passenger, was asked to address the passengers assembled at dinner in the first cabin, but he declined. A committee of Americans went to him after his refusal, but he again declined to speak.

POLICE CALLED ON FALSE RIOT ALARM.

Negroes Jeer Patrolmen While Search for Malicious Person Is On in Harlem.

More than one hundred patrolmen, the reserves from the East 126th street and the West 125th, 100th and 152d street stations, responded to a hurry call telephoned into Police Headquarters yesterday afternoon that a riot was in progress at 134th and 135th streets, on the edge of the Harlem "black belt," between negroes and whites. It turned out to be a false alarm. But the police are still kept on the scene.

Since the serious riots recently in this neighborhood, in which Patrolman Conrad was badly beaten, and as a result of which he is still in a critical condition, the police at the uptown stations have been expecting trouble between the negroes and whites.

Lined up along the Lenox avenue curb the patrolmen were the subject of jeers from the negroes. Feeling between the blacks and the police is at a high pitch.

In the work of finding the person who sent in the alarm the police were hampered by the presence of the negroes, who obtruded themselves and hindered the work of the officers as much as possible. There was considerable jeering on the part of the negroes, but there was no overt act of hostility. The person who sent in the alarm was not found and no arrests were made.

FIGHT FATAL TO BYSTANDER.

Camden, N. J., July 6.—John Joyce and Harry Broderick, of Philadelphia, were arrested charged with causing the death of Schuyler Matlack, of this place, in a saloon brawl on July 4. While Joyce and Broderick were fighting they fell against Matlack, who was struck a heavy blow over the heart. He fell to the floor unconscious and died soon after.

CROSSTOWN CAR KILLS A BOY.

On His Way to See Father When Run Down in 23d Street.

While crossing the tracks to get a westbound car last night, Herbert Dawson, seven years old, of No. 329 East 26th street, was knocked down by a fenderless 23d street crosstown car, between Second and Third avenues, and run over. The wheels nearly cut him in two, killing him almost instantly.

The car was crowded with women and men, and an uproar ensued. John Floris, of No. 416 West 35th street, was the motorman, and Patrolmen Schroy and Powers, of the East 22d street police station, rescued him from the crowd. He was placed under arrest, with George Mackin, the conductor, of No. 216 East 18th street. The boy had visited friends in 23d street, near Second avenue. He was on his way to see his father, who is employed as a waiter in the Fifth Avenue Hotel. The motorman told the police that he first saw the boy when he was on the track in front of his car. There is a down grade at that point, and the motorman said he was unable to bring his car to a stop. The body was removed to the police station.

MR. ROBERTS TO LEAVE MINT AUG. 1.

Washington, July 6.—The resignation of George E. Roberts as Director of the Mint will take effect on August 1 next. Mr. Roberts has been elected president of the Commercial National Bank, of Chicago, to succeed the late James E. Eckels. Mr. Roberts's successor has not yet been named.

NO P. S. COUNSEL YET.

But Commission's First Week One of Much Accomplishment.

The Public Service Commissioners took a half holiday yesterday. In the afternoon Secretary Whitney was the only official of the commission at its offices. At the morning meeting the report of the committee on rules of procedure was adopted, and these rules will be made public to-day.

Again the question of the appointment of counsel was discussed, with the same result as before—no decision. "We do not seem to have found the right man yet," said Commissioner Bassett, "and until we do there will be no appointment."

All the commissioners will remain at their homes to-day, but will be in close communication with the main office all the time. Several of them intend inspecting, in a general way, the transit facilities in the neighborhood of their homes.

Chairman Willcox seemed much fatigued after the morning session. "I am going out into the country," he said, as he left the offices of the commission, "I am very tired, and a little country air will be refreshing."

The commissioners have practically completed the work of organization, and on Monday morning will hold the first public session. All of them realize now, at the end of the first week of the commission's existence, the gigantic task that confronts them. They realize fully what the public expects, and all they ask is time. "Give us the time, and we will give the public the results," said one of them last night.

The commission received a report yesterday on the Coney Island wreck, and will act on this early next week. More complaints were received yesterday. These, with the rest that have come in, were tabulated and filed. They will be taken up in regular order.

Corporation Counsel Ellison said yesterday that he expected to give the Controller an opinion on Monday or Tuesday on his right to turn over to the Public Service Commission the $400,000 which remains to the credit of the old Rapid Transit Commission. He has two of his employes at work on the subject, and will give it his personal attention as well. The commissioners are not worrying over the question of finances. They believe public opinion will force the city officials to supply them with necessary funds.

In reviewing the work of the commission for the week it is found that much has been accomplished. While the commissioners have not attempted any grandstand plays to win applause, they have worked hard and conscientiously. They have practically completed the work of organization, in itself a difficult problem. They have investigated the affairs of the old commissions and have got them in condition to be taken charge of comprehensively, systematizing the work and dividing it among themselves.

In short, the Public Service Commission for this district appears prepared, after one week, to take up its work and carry it on in a systematic, efficient way.

There remains the appointment of counsel and sub-officials.

LOSES SAVINGS WITH "WIRE TAPPERS"

Restaurant Keeper Separated from Fruits of Ten Years' Toil.

Wenderlein Pollock, an Hungarian restaurant keeper at No. 338 West 49th street, told in the Yorkville police court yesterday how he had been separated from $2,600, the savings of ten years, by wire tappers, who never tap anything but their victims. Joseph Goldsmith, of No. 152 West 38th street, who was arraigned, charged with having defrauded him out of $1,040, denied being implicated in the scheme, and was paroled in the custody of his counsel.

Pollock said he became acquainted with several men who ate at his place and whose tales of big winnings on racehorses interested him. They told him, he said, that even more money could be made by tapping the telegraph wires to the racetrack. On the first proposal he was induced to go in with one of the men on a bookmaking proposition, and lost $500. That gone, the proposal to tap the wires was made. Pollock drew the rest of his money out of the bank, and on July 2 went with some of the men to a hotel in 44th street near Broadway, where he played $10 on one race. The horse won, and Pollock got $16 back. He was then taken to an address in East 55th street, where he was shown a telegraph instrument. He was informed that it was a part of the tapping outfit.

After losing his money Pollock informed the police. He met Goldsmith by appointment at 54th street and Sixth avenue, and they went to Terrace Garden, where Goldsmith was arrested.

RUMOR SAYS MAYOR WILL SWING AXE

Mr. Ellison, Corporation Counsel, Marked—To Pick City Chamberlain.

There are persistent rumors that Mayor McClellan will remove William B. Ellison, Corporation Counsel, early next week. The question of his successor is arousing much interest. It is said on good authority that neither Eugene Lamb Richards, jr., nor Edward M. Grout, formerly Controller, will be appointed, rumors to the contrary notwithstanding.

Mr. Grout would be Mr. Ellison's most probable successor, politicians think, if he wanted the place. When Controller, however, he frequently said he was losing money, for his law practice paid more than the salary the position carried. As the salary of the Corporation Counsel is the same as that of the Controller, $15,000 a year, it is thought that Mr. Grout would decline the appointment.

It is understood that the Mayor will also appoint a City Chamberlain in the next few days. This position carries with it a salary of $12,000.

Mayor McClellan has refused to give any intimation as to whom he will appoint, and although many names are mentioned for the positions, who the appointees will be is at present problematical. It is understood that both will be anti-Murphy Democrats.

Corporation Counsel Ellison has received no official intimation that he is to be deposed.

MERCHANTS DEMAND SUNDAY CLOSING

Will Seek Evidence To-day Against Violations of Law on West Side.

The West Side Merchants' Association, which was organized recently with a membership of fifty retail merchants in the upper part of the city, will renew its efforts to-day to compel other merchants to keep their stores closed on the Sabbath. That is one of the purposes of the association.

The campaign has been going on since the organization was effected. All of the members keep their stores, which are mostly drygoods and men's furnishing establishments, closed on Sunday to give their clerks one day off in the week. But there are some who refuse to join or be bound by any such agreement. The latter remain open half a day on Sunday.

The association enlisted the aid of Captain Donald Grant, of the 30th Precinct, who notified the offenders that they must obey the law. This order was observed for a time, but in the last two or three weeks the law has been violated again, though less flagrantly than before. The West Side Merchants' Association will send out a corps of men to-day to obtain evidence against the merchants who keep their places open.

SUIT AGAINST BALTIMORE PAPER.

Baltimore, July 6.—Judge Morris, sitting in the United States District Court, to-day issued an order to show cause why attachment for contempt should not issue against Herbert C. Cupit, president and general manager of "The World," of this city. The order is the result of an editorial published in "The World" a few days ago, characterizing as "a mass of technicalities" the case against John W. H. Geiger, formerly cashier of the Canton National Bank, who is on trial before Judge Morris, charged with fraudulent transactions. A copy of the editorial in question was mailed to each member of the jury sitting in the case, which fact was brought to the attention of the court by the foreman of the jury.

BOY, CRUSHED UNDER CAR, DIES.

James Walsh, the little boy who was crushed under a trolley car on Vernon avenue, Long Island City, on Friday night, died yesterday in St. John's Hospital. The boy was riding on the back of a truck, and as it swung out of the tracks he was thrown off and landed in front of a car. Thomas Schilt, the motorman, was arraigned yesterday before Magistrate Smith and paroled in custody of the trolley company until July 22.

FIGHT MINE FIRES WITH CHEMICALS.

For fighting fire in its anthracite coal mines a new form of chemical fire engine that can be run on the tracks throughout the mines is now being used by the Delaware, Lackawanna & Western Railroad. When an alarm of fire is sounded the engine is attached to an electric locomotive and is taken to the fire at high speed.

NEGRO GETS REVENGE.

Man Who Aided Police Attacked by Blacks Found Unconscious.

Unconscious and suffering from a possible fracture of the skull, Thomas Wright, twenty-two years old, of No. 350 Lenox avenue, was found wandering in a dazed condition at 135th street and Lenox avenue last night. The police have no doubt that Wright was assaulted by negroes as a result of his part in helping patrolmen during the riot between negroes and the police on Thursday night, at 133d street and Lenox avenue. At Harlem Hospital, where Wright was taken, he revived enough to tell that he had been assaulted by a black man.

Wright saw negroes pounce upon Patrolman Conrad, of the West 125th street station, Thursday night and summoned other patrolmen. Wright then aided three officers in rescuing Conrad by joining in the fight against the blacks. He also helped the police to make arrests and capture their prisoners.

Wright said he noticed yesterday that at almost every turn he made he encountered a negro. He told several patrolmen that he thought the blacks were closing in on him.

Wright was walking north in Lenox avenue last evening. There were few persons on the street, and at 135th street a husky negro turned the corner, bumping into Wright. "You'll get yours before I get through with you," said the negro, moving toward Wright. The white man stepped back, and then a heavy instrument, supposed to be a blackjack, descended on his head. Apparently no one noticed the affair.

Michael Lyons, who lives in the same house as Wright, and Charles Steinhart, who lives at No. 348 Lenox avenue, both friends of Wright, turned the corner just then. They saw their friend lying on the pavement and carried him home.

Dr. Ross took the injured man to the hospital and after an hour Wright revived enough to tell of the assault. The police are looking for the mysterious assailant.

STANDS AGAIN IN CITY HALL PARK.

Licenses Now Issued by Department Curtailing Revenue to Politicians.

Three of the shoe polishing stands and one news depot whose permits were revoked a few weeks ago by Park Commissioner Herrman are back at their old places in City Hall Park. Heretofore news dealers in the park who owned stands were compelled to pay from $5 to $15 to politicians who obtained the licenses for them from the Park Department. Now the permits are issued to applicants direct from the department.

Michael Graziano, one of those who has returned, had indorsements from prominent men on his application, including Mayor McClellan. Graziano has had his bootblack outfit against the west wall of the County Courthouse for more than twenty years. It is likely that gradually all the stands will be permitted to return to City Hall Park, but the system of peddling permits will probably be broken.

BANK MESSENGER, ROBBED, DIES.

Pocket, Containing More Than $36,000, Picked on a Surface Car.

If Henry J. Wilson, of Jersey City, will go to the First National Bank, No. 2 Wall street, and explain what happened to him on the first day of his two weeks' vacation, he probably will have a chance to earn some of the extra money which he expected to make in his absence from his regular job with the Addressing Company of New York, at No. 42 Barclay street. Wilson, who is a fine penman, has worked for addressing companies about the city for many years. In his summer vacations he works as a messenger for the bank.

He started on the vacation work Monday, and was sent to collect from uptown banks. He was due to return to Wall street that night, but did not return, and sent no word of explanation. Remembering the disappearance of Wheelock Harvey, one of the bank's messengers, with $200,000 in checks and drafts a year ago, the bank officials communicated on Tuesday morning with the United States Guarantee Company, at No. 111 Broadway, which had bonded Wilson, after the cashier had received an envelope containing $34,718.60 in checks and drafts.

Nothing was heard of Wilson until Tuesday afternoon when two friends of the messenger called on Daniel J. Tompkins, secretary of the guarantee company, and showed him a letter in which Wilson said that he had been robbed on a surface car of his wallet, containing $34,718.60 in checks and drafts and $1,718.73 in cash. The total of his collections. He was fearful of being suspected of the theft and went into hiding to consider what was the best course to pursue. The bank was notified and Wilson's friends were told that he might come back without fear of prosecution. It is supposed that the thief, finding the checks and drafts non-negotiable, mailed them to the bank.

Mr. Tompkins said last night that Wilson's friends told him the messenger was in Jersey City, and that they were trying to get him to return to New York.

LIVESTOCK EXCHANGES WIN VICTORY

Packers Agree to Omit Post-Mortem Examinations on All Range Cattle.

Chicago, July 6.—Representatives of livestock exchanges throughout the West, in conference with representatives of all the large packing interests, yesterday won what they consider an important victory, practically doing away with the proposition of the packers that all cattle be received from shippers subject to post-mortem examination. This proposition, which has been fought by all the livestock exchanges, will now apply only to dairy cows and to common canning cows. The packers agreed to pass all range cattle.

The livestock exchanges represented were those of St. Louis, Kansas City, St. Joseph, Sioux City, Milwaukee, Buffalo and Omaha.

TELEGRAPHIC NEWS NOTES.

Bloomington, Ill., July 6.—A cable message received here to-day from Swatow, China, announced the drowning of Dr. R. E. Worley, a medical missionary. He was a graduate of the State Normal University here and of Rush Medical College, Chicago.

Topeka, Kan., July 6.—The State Supreme Court yesterday held that railroads are not liable for injuries through accidents which happen to persons employed by express companies on trains in cases where the express company assumes all risk of injury or death to such employes.

Chicago, July 6.—Louis F. Post, Raymond Robins, Cornelia De Bey, W. W. Mills and John J. Sembaby, former school trustees, who were ousted by Mayor Busse, began mandamus proceedings to-day to compel State's Attorney John J. Healy to begin quo warranto proceedings in their behalf. They allege that they are entitled to the proceedings, but that the State's Attorney has refused to bring them.

Nashville, Tenn., July 6.—The Frank Cheatham Bivouac, United Confederate Veterans, last night adopted a resolution to the effect that the sense of the bivouac is that there be no women appointed to represent Confederate veterans, that a woman at present on the staff of one of the high officials be requested to resign, and that no women be appointed to such places of honor, or any other places within the organization.

Cincinnati, July 6.—Fire, which for a time threatened to destroy the Emery candle factory, at Ivorydale, a suburb, as well as vast stores of oil in tanks and the entire plant of the Procter & Gamble soap works, near by, broke out from unknown causes in the main boiler room of the Emery factory early to-day. By hard work the fire was confined to the boiler room, which, with its contents, was destroyed, with a loss of $100,000.

Topeka, Kan., July 6.—The Supreme Court last night decided that the city of Wichita, by its Board of Education, in the absence of statutory authority, has no right to exclude a child from any of its public schools by reason of its color. In 1889 Wichita passed an ordinance providing separate schools for negro children.

Bellingham, Wash., July 6.—"Jake" Terry, ex-convict, smuggler, train robber and fugitive from justice, was shot and instantly killed yesterday by A. L. Lindley at Sumas, in the presence of Mrs. Lindley, at the Lindley home. Eighteen months ago Terry entered Lindley's home, drove Lindley out with a revolver, and kept Lindley's wife with him for several days while fighting off officers. Later the sheriff arrested Terry and took him to Canada to protect him. Yesterday when Lindley went home to luncheon he found Terry in the house and fired first.

La Crosse, Wis., July 6.—Complete reports from the district east of La Crosse swept by a tornado on Wednesday night show that seven persons were killed, instead of twenty-six, as first reported. Communication has been restored with the whole district.

ANTI-BRYAN SENTIMENT.

Feeling in Indiana May Become Organized Opposition.

[By Telegraph to The Tribune.]

Laporte, Ind., July 6.—The opposition to William J. Bryan in the ranks of Indiana Democrats in his two campaigns promises to be strong in 1908 should the Nebraskan again be the candidate of his party. The movement, which began at Indianapolis and extended to other parts of the state where the gold influence was strong in 1900 and 1906, now promises to take the form of organized opposition. Opinions gathered from answers to letters written to gold Democrats develops an almost universal sentiment of antagonism, based upon Bryan's speech favoring government ownership of railroads and the belief that he still clings to his free silver policies.

The movement, if organized against him, will be directed, it is said, by Sterling R. Holt, former state chairman, who believes that Judge Gray, of Delaware, is one of the few Democrats who could go before the country with prospect of election.

BRYAN ON VARIOUS SUBJECTS.

Takes a Fling at President and Mr. Rockefeller and Discusses Japanese Question.

Warsaw, Ind., July 6.—"Send John D. Rockefeller and a dozen other trust magnates to prison for a long term of years and one of the most vital questions before the people of this country will have been solved," declared William Jennings Bryan yesterday at a dinner given in his honor by Dr. Sol C. Dickey, president of the Winona Lake Assembly.

"President Roosevelt and others are now bringing to a successful issue the principles and ideas I advocated seventeen years ago," Mr. Bryan continued. "This is particularly true as regards the tariff. The President is compiling my future speeches for me."

Mr. Bryan took a fling at the President's Cabinet, saying that there was not a man in it who agreed with Roosevelt. Referring to the controversy between the United States and Japan, Mr. Bryan, who during his trip around the world visited Japan, said a little more backbone at Washington would settle the difficulties for all time to come, without a conflict between the two nations.

"Japan will follow in the path of Spain and other nations once powerful, unless there is a religious awakening in that country," he said. "There's one thing that can save Japan, and that is the spread of Christianity."

JUDGE FELLS SIGNS; QUOTES BIBLE.

Wields Axe in Dispute Between Rival Places at Long Branch.

[By Telegraph to The Tribune.]

Long Branch, N. J., July 6.—Wilbur A. Heisley, Circuit Court judge and president of the Takanassee Hotel Company, with an axe levelled several large signs placed on the West End Hotel property by the owner of the West End Casino and Cottage Company this afternoon. These signs warned the owners of the Takanassee Hotel Company and their guests against trespassing on the ocean front. The owners of the West End cottages claim ownership to the riparian grant. After cutting down the signs Judge Heisley tacked on cards reading as follows:

"West End Cottage and Casino Company, complainants, respectfully referred to twentieth chapter of Exodus and seventeenth verse."

The owners of the West End Cottage and Casino Company had assigned to them the riparian lease given to the Hildreths in 1885. They claim title not only to the West End cottages tract of ocean front, but also the riparian right in front of the West End Hotel property, which covers 480 feet. Judge Heisley disputes the title. He said to-night:

"When I purchased the West End Hotel site the Maze Realty Company deeded all its interests in the property, including the riparian rights to the ocean front, which are a matter of record. The riparian lease, however, was not conveyed, as the West End cottages site had not been sold at that time."

BIDS ASKED FOR ASHOKAN DAM.

It Will Be Third Largest in the World and Will Cost $10,000,000.

The new Board of Water Supply advertised yesterday for bids for the dam that will hold back the waters of the Ashokan reservoir. This dam will cost at least $10,000,000, and with the exception of one in Egypt and the Croton reservoir dam will, it is said, be the largest in the world.

The bids for the Ashokan dam will be opened August 6. The contractors are given eighty-five months to construct it and must give a bond of $1,000,000 and deposit $250,000 as security with the Controller.

The dam will be two hundred feet high. From a thickness of 196 feet at the base it tapers to 26 feet at the apex. Its length will be 1,000 feet. The contractors will have to clear two hundred acres of land before they will be ready to begin the work.

The Ashokan reservoir, which is to supply the city with water, stores 170,000,000,000 gallons. The water will flow through an aqueduct 108 miles in length to the city. Work on the first section of this aqueduct was begun two weeks ago. This section, which will be ten miles long when completed, will cost $4,206,000. The dam will be of masonry. It will be built at Brown's Station, in the Catskills.

GUILD TO PROBE ENTERPRISE AFFAIR.

Several of the Boys Who Rebelled at New London Reach Their Homes.

Boston, July 6.—Governor Curtis Guild, jr., decided to-day to order an investigation of the charges made by the so-called striking cadets of the Massachusetts nautical training ship Enterprise, that the food on board the vessel was of poor quality and that they did not have enough shore leave. The investigation will be a thorough one and will be held without delay.

Several of the forty or more boys who left the ship at New London, Conn., after presenting a note to the captain refusing to return to duty without a written guarantee of better food, arrived here last night and went to their homes. They said that they received bad bread and salt foods when there was no necessity for it.

LARGE CROWD AT LONG BEACH.

Ex-Senator Reynolds Elated Over Success of New Enterprise.

The prophecies of ex-Senator William H. Reynolds on the coming popularity of Long Beach, which is being developed by the Estates of Long Beach as a summer resort, were borne out by the number of visitors to that place on the Fourth of July. More than fifteen hundred persons dined at the old Long Beach Hotel, where one thousand persons may be served at once.

After seeing this influx of visitors ex-Senator Reynolds was moved to prophesy further. "Long Beach will outclass Atlantic City," he said, "and become the most popular and attractive watering place and resort in the United States. The resort is to be laid out in accordance with my plans for a real 'city beautiful,' based on suggestions and plans made to me by various societies for the artistic development of cities and towns."

WEDDING CEREMONY REPEATED.

Friends of Herbert Saunders, of Trinity Place, Mount Vernon, were surprised to learn of his wedding on June 29 at the Central Presbyterian Church, of this city. He married Miss Mary Estelle Adams, daughter of the late Crowel Adams. As their marriage had been kept a secret for a year, it was deemed advisable that another ceremony should be performed. The first was performed by the Rev. Dr. W. W. Page, in St. John's Church, Cornwall-on-Hudson, June 9, 1906.

POLICE SEEK MAN WHO SHOT GIRL.

South Norwalk, Conn., July 6.—A police alarm was sent out to-day for the arrest of Ando Rohl, a Hungarian, who is said to have shot and killed Bertha Carle last night. Rohl called upon the girl during the evening and proposed marriage. The girl rejected the offer and a quarrel ensued, during which Rohl, it is said, drew a revolver and fired three times at his companion, two bullets entering the head and causing death. Rohl has left town.

The Financial World.

The market is better. This is true not merely in a little sense. In many quarters, in many ways, improvement shows.

What may be regarded as of exceptional importance is in the outspoken declaration of Thomas W. Lawson that he is with associates of financial consequence committed to a betterment campaign. Of course, we are going to be treated to a vast deal of witticism and sneers as to what Lawson stands for, what he can accomplish, the intentions and integrity of him. But comment and criticism of sort like this will not affect the judgment of fair-minded reviewers of the security market situation through the last thirty months—will not, moreover, likely to qualify the execution of plans which Mr. Lawson declares arranged. When Lawson appeared as the original critic in severity against the conduct of the great insurance companies he was the jest of Wall Street; when later his accusations were more than proved Wall Street grew still bitterer toward him. When he began to schedule the assets and characterize the delinquencies of the Copper Trust, there were laughs for his industry; when by proofs he made good many of the grave things he charged, there was Stock Exchange denunciation offered for reward. And so through the record of a couple of years—Lawson of Boston placarded continually as a libeler, reckless and dangerous.

What this man wrote had often savage injustice in it—undoubtedly. But, somehow, stock market quotations finally followed the line which his prophecies foretold. The bear, the guerilla, the bushwhacker, made good—measured by quotations lower and lower going. Nowhere won he a friend. Everywhere accumulated enmity. It was difficult—virtually impossible—to obtain anywhere in Wall Street within recent days any hearing for any Lawson proposition. He was bad. Universal was this Stock Exchange verdict.

Viewed just psychologically exceptional interest centers therefore in this new Lawson entree as bull, upholder of values, prophet of improvement. Perhaps it is not curious that they who assailed his cynicism and assaults two years back are assailants still—no more gratified by his cheerful optimism than they were excusant of his quondam condemnations. Thus—still just from the psychology standpoint—the exhibit has consequence. In his original onslaughts Mr. Lawson, so far as any of us could detect, stood alone—stood for vengeance of a private wrong, which he could feel was expandable into a public wrong. In this new campaign that is planned the undertaking is not by Lawson alone, but by Lawson the representative of what he himself describes as capitalistic "associates." The new Lawson gospel is that following the exposure of corporation mismanagement there has come into operation (largely through the force of President Roosevelt) new responsibilities and new effectiveness in corporation management whose net result is the delivering of profits to those who own railway securities as against the old fashion of loot for "managers" inimical to actual owners. Mr. Lawson urges that both here and abroad speculative holdings of stocks have, moreover, so diminished that now as never before shares and bonds are owned outright, that stock holding is no longer the speculative target that formerly it was, that there is thus an incomparable public buying absorption power far beyond any past precedent. This buying power, in his view, must be impressed by the fact that where of old there was risk there now can be certainty of fairness and large return to investors. The argument he makes is strong. The test of its attractiveness to the public we are about to see.

And—whatsoever may be the jests and the jibes or even bitter animadversions—the result in my opinion is likely to show quickly that today Thomas W. Lawson is (with one extraordinary exception) what he was dominated in this review two full years ago: "The Wall Street Man With an Audience."

Even Wall Street can afford to wait and be fair.

Among encouraging features of the week nothing stands out more prominently than persistent strength and broadening activity in the shares of the United States Steel Corporation. Upward movement in the common stock is accompanied by rumors of an approaching increase in the dividend. This is just conjecture. It may well be that with the building of the Gary plant on hand the Corporation may defer common stock dividend increase, following the policy up to this time assumed of paying outright for that magnificent addition to its plant instead of issuing new securities. Let it be assumed that there is no dividend increase—how stand the facts? The earnings of the Corporation provide for all fixed charges and preferred dividends beyond the peradventure of a doubt and leave a surplus on hand estimated as from 12 to 15 per cent. actually earned for the common stock. Now whether some portion of this surplus be distributed in the shape of dividends to the common stockholders or whether it still be used for Gary plant construction is not of any great moment. In the one event common stockholders would get a little more immediate revenue—in the other event they virtually become the proprietors of an immense manufacturing plant with earning power not yet measurable. And aside from all these considerations take the present position of Steel Common. It pays 2 per cent. per annum on par value; at 38 it yields an actual revenue as an investment of more than 5 per cent.—while as a speculative proposition it presents literally dazzling opportunities. If the steel business is to maintain present prosperous levels—and there is not the faintest sign of any diminution for an indeterminate period—then it infallibly follows that sooner or later the common stock must inherit every dollar of that surplus revenue over and above the requirements of fixed charges and preferred dividends. It is no fanciful dream that within the next few years this stock, now ranging below 40, may be receiving 10 per cent. dividends—or more. The preferred dividends are limited to the present rate of 7 per cent.—common dividends are measurable only by earnings.

United States Realty is about to receive another quarterly dividend of 1½ per cent.—the 6 per cent. annual dividend upon this stock declared for the year. With the return of Mr. James Stillman and Mr. H. H. Rogers from Europe this stock ought to begin to command in the market something like the intrinsic value it represents—20 or 30 points above where it is now selling. Paying 6 per cent., it is earning 12.

In United States Rubber there will soon be shown the influence of the tremendous increase of net profits which are showing. During the three months of the fiscal year output is increased 40 per cent. and profits are over 50 per cent. increased. Dividends upon Rubber common can be counted among early certainties.

In mining an awakening is due, for while Wall Street has been neglectful mining development has actively proceeded. Watch the Heinze stocks. Back of every one of them is worth, experience, integrity.

H. ALLAWAY.